

U.S District Court

FILED

OCT 17 2019

Christina Ricks

U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANA

v.

People Ready staffing AGENCY

TESSA WETHERALD

Shamra Terry

1:19-cv-4253 JMS -MJD

COMPLAINT

PARTIES

Plaintiff Christina Ricks is a citizen of Indiana and resides at 16028 Cottage Ave Apt 3, Columbus Indiana 47201

Defendants People Ready staffing, Tessa Wetherald, Shamra Terry are residents of Indiana and employed by People Ready staffing at 2310 Chestnut Street Columbus, Indiana 47201

STATEMENT of Claim

Plaintiff Christina Ricks this suit against the named Defendants for violation of her Civil Rights and violation of state and federal law. On or about June 12th 2019 the Plaintiff was a referral of Angelito C. Mercado to be employed at People Ready staffing agency by Tessa Wetherald and Shana Terry to work at the Cummins Engine Company in ~~Montgomery~~ Indiana through the PQM Corporation. The plaintiff was told by Ms. Wetherald and Ms. Terry she would be making \$13.00 an hour and the plaintiff was also told by Ms. Wetherald and Ms. Terry to lie on the application process about being a convicted felon and that they would also bypass her drug screen and place her at Cummins for employment. During the first 2 weeks People Ready failed to provide a check stub to the plaintiff and the plaintiff complained to People Ready staff and was finally provided a check stub to her email. The plaintiff noticed she was only being paid \$12.00 an hour. People Ready at first told the Plaintiff there was a mistake about the hourly pay and was accidentally told she would be paid \$13.00 an hour. The Plaintiff then complained to the supervisor James Batiz at Cummins who was the group leader. Mr. Batiz informed the plaintiff

that His Company WAS paying people Ready \$13.00 an hour for each Employee and that it was illegal for people Ready to only give the plaintiff \$12.00 an hour. the Plaintiff continued to Complain to people Ready and finally the Plaintiff was Credited about a week later for pay at \$13.00 an hour But people Ready refused to pay the \$13.00 an hour for the first week of Employment when the plaintiff had 24 hours of labor. People Ready Employers Ms. Wetherald and Ms. Terry Told the Plaintiff she would not receive credit for the first 24 hours Because she was only making \$12.00 an hour that week But given a Dollar Raise the 2nd week and therefore already given credit Both ms. Wetherald And ms. Terry told the plaintiff to stop talking to Mr. Batiz about her Hourly pay And not to discuss her hourly pay with Anybody at all. Mr. Batiz then notified the Plaintiff that he received a Text from Ms. Wetherald to Stop Talking to her Employees about there hourly pay and made threats to him about knowing people at Cummins to get him fired. Plaintiff Believes this is the Reason people Ready will no longer assign Any more Jobs to her.

having the Plaintiff lie on A Application to Be placed in Employment she is not eligible for financial Gain is a violation of state and federal law. Telling the Plaintiff she is making \$13.00 an hour and only paying her \$12.00 is a violation of state and federal law. Telling the Plaintiff not to speak to others about her hourly pay and no longer providing her with assignments is against federal and state law. Plaintiff is suing Ms. Wetherald and Ms. Terry in their individual capacity and their official Employment Capacity as employees of People Ready for the violation of the Plaintiff's Civil Rights and violation of state and federal law within the scope of there Employment. Plaintiff charges all named Defendants with

Count 1: Violation of Fair Labor Standard Act

Count 2: Violation of National Labor Relations Act

Count 3: Violation of Equal Protection Law

Count 4: Deliberate Indifference

Count 5: Fraud

Count 6: Breach of Contract

Count 7: Negligent Misrepresentation

Count 8: Intentional Infliction of Emotional Distress

People Ready Staffing is responsible for all claims by employing Ms. Wetherald and Ms. Terry who represent People Ready who have violated the plaintiff's Civil Rights and violated state and federal law with the scope of their employment and as representatives of People Ready staffing agency.

All claims causing injury by loss of liberty, emotional distress, mental anguish and monetary loss.

Plaintiff is suing for violation of state law and federal law USC 28 section 1331

Plaintiff makes a jury trial demand

Prayer for relief

Plaintiff requests \$100,000.00 from each defendant also compensatory and punitive damages.

So said and filed this 10th day of October 2019

Christa Ricks

11628 Cottage Apt 3
Columbus, Ind 47201

Christina Ricks